

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IOENGINE, LLC,)	
)	
Plaintiff and Counterclaim-)	
Defendant,)	
)	
v.)	
)	
IMATION CORP.,)	
)	
Defendant and Counterclaim-)	Civil Action No. 14-1572-GMS
Plaintiff.)	
)	
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IMATION CORP.,)	JURY TRIAL DEMANDED
)	
Counterclaim-Plaintiff,)	
)	
v.)	
)	
)	
IOENGINE, LLC, and SCOTT F. McNULTY)	
)	
Counterclaim-Defendants.)	

**MOTION BY FREDRIKSON & BYRON, P.A. AND RICHARDS, LAYTON & FINGER,
P.A. TO WITHDRAW AS COUNSEL OF RECORD FOR IMATION CORP.
DUE TO DISCHARGE**

By agreement resolving certain disputes between Defendant and Counterclaim Plaintiff Imation Corp. (“Imation”) and its legal counsel, Fredrikson & Byron, P.A. (“Fredrikson”) and Richards, Layton & Finger, P.A. (“Richards”), Imation discharged Fredrikson and Richards on March 10, 2016.¹ Delaware Rule of Professional Conduct 1.16(a) states that “a lawyer shall not represent a client or, where representation has commenced, *shall* withdraw from the representation of a client if ... the lawyer is discharged.” (Del. R. Prof. Cond. 1.16(a) (emphasis

¹ See Exhibit 1 to this Motion

added).) Accordingly Fredrikson and Richards submit this motion to withdraw as counsel of record in this case. Imation has waived the requirement of D. Del. LR 83.7 that the present motion be served on Imation at least 14 days before being presented to the Court.

Immediately upon learning that discharge would be forthcoming, Fredrikson and Richards informed counsel for IOENGINE, LLC and Scott F. McNulty (collectively, “IOENGINE”) regarding the change.

Imation has informed Fredrikson and Richards that the company intends to replace, and is now seeking to replace, counsel. As a result, the company requests that the Court stay this lawsuit for 45 days while Imation retains replacement counsel and brings them up to speed on the case. Such a stay should cause no prejudice to IOENGINE, as trial in this matter is not scheduled until January 2017 and the current deadlines in the scheduling order can be extended to accommodate the stay without needing to move the trial date.

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Dated: March 14, 2016

/s/ Frederick L. Cottrell, III

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